

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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BRIAN METZLER,

Case No. 22-CV-735 (NEB/DTS)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

DEPARTMENT OF AGRICULTURE,  
RURAL DEVELOPMENT, CYNTHIA  
MORALES, JONATHAN SANFORD,  
DAWN WINTER, CHARLES PHILLIPS,  
MICHAEL MONSON, and DANA  
RAUSCHNOT,

Defendants.

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The Court has received the April 21, 2022 Report and Recommendation of United States Magistrate Judge David T. Schultz. (ECF No. 7.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 7) is ACCEPTED;
2. This matter is DISMISSED WITHOUT PREJUDICE; and
3. The application to proceed *in forma pauperis* (ECF No. 2) is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 26, 2022

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel  
United States District Judge